

KENTUCKY REAL ESTATE APPRAISERS BOARD

TYPE OF MEETING

Regular Meeting

DATE AND LOCATION

January 23, 2015 · Board Office

PRESIDING OFFICER

Harold Brantley, Chair

ROLL CALL

Present:

Harold Brantley, Chair
Kathy Mayfield, Board Member
Thomas Oliver, Board Member
Dann Cann, Board Member
Jeff Fultz, Board Member

Present Also:

Larry Disney, Executive Director
Tom Veit, Executive Assistant
Angie Thomas, Staff Assistant
Kim Mathias, Executive Secretary
Ryan Halloran, Attorney General Office

Chair, Harold Brantley opened the meeting and welcomed the guest in attendance.

OATH OF OFFICE

Mr. Dann Cann was sworn in as appraiser member and Mr. Jeff Fultz was sworn in as lender member of the Kentucky Real Estate Appraisers Board prior to the Board meeting by Notary Public, Angie Thomas.

ELECTION OF OFFICERS

A nomination was made by Kathy Mayfield, to nominate Harold Brantley as Chairman and Thomas Oliver as Vice Chairman. A motion was made by Dann Cann, second by Thomas

Oliver to cease the motion and the Board unanimously approved the nomination of Chairman Harold Brantley and the Vice Chairman Thomas Oliver. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz – Yes.

MINUTES

Motion by Thomas Oliver, second by Kathy Mayfield and the Board unanimously approved the December 19, 2014 minutes. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz – Yes.

EDUCATION

Motion by Thomas Oliver, second by Jeff Fultz and the Board unanimously approved the following education courses for Fiscal Year 2014-2015. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz – Yes.

- A. International Right of Way Association (IRWA)
 - 1. C400: Principles of Real Estate Appraisal – 15 hours CE Classroom
- B. American Society of Farm Managers and Rural Appraisers (ASFMRA)
 - 1. Using Excel in Specific Appraisal Applications – 8 hours CE Classroom
 - 2. Rural Case Studies 1 – 8 hours CE Classroom
 - 3. AgWare: UAAR Back to Basics – 7 hours CE Classroom
- C. Education Resource, LLC
 - 1. Short Residential Appraisal Reports – 4 hours CE classroom
 - 2. Short Non-Residential Appraisal Reports – 4 hours CE classroom
- D. Wilson Educational Group
 - 1. The Review Art – 7 hours CE classroom
 - 2. Secondary Market Appraisal Standards v. 2015 – 3.5 hours CE classroom
 - 3. How to Measure Anything! – An Introduction to Measurement Standards for All Types of Buildings – 3.5 hours
- E. Appraisal Institute
 - 1. Contract or Effective Rent: Finding the Real Rent – 4 hours CE classroom
- F. Marvin L. Dever
 - 1. Collateral Underwriter – 3.5 hours CE Classroom
- G. Bryan S. Reynolds & Associates
 - 1. Fannie Mae CU and You 900 – 7 hours CE Classroom

Motion by Thomas Oliver, second by Kathy Mayfield and the Board unanimously approved the following education course for Fiscal Year 2014-2015. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz - Yes.

- A. Pike Legal – “Planning & Zoning to Meet HB 55 Requirements” – 5 hours of CE credit

EXPERIENCE REVIEW

Motion by Jeff Fultz, second by Dann Cann and the Board unanimously approved the following experience. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz - Yes.

- (1) Angela Woodlee – Approve Experience for Certified Residential. She must successfully pass the Certified Residential exam.

CERTIFICATION/LICENSURE

- A. Approval – Appraisers – Motion by Kathy Mayfield, second by Thomas Oliver and the Board voted to approve the following certification list of appraisers. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz - Yes.

- A. Christopher Allen – Certified Residential
- B. Ronald K. Barnes – Certified General (TN)
- C. William E. Campbell – Certified Residential
- D. Amy Klarer – Certified General (OH)
- E. John R. Cornett, Jr. – Associate
- F. Ashley A. Deferraro - Associate
- G. Michael C. Homm – Certified General (OH)
- H. Sarah M. Roberts - Associate
- I. Ryan T. Shumate – Certified Residential (IN)
- J. Benjamin V. Sparks - Associate
- K. Kari Stringer-Merrick – Certified Residential
- L. Mark Scott Tackett - Certified General (AR)
- M. Michael Thorpe – Certified Residential
- N. Charles A. Williams – Certified General
- O. Aaron C. Wright – Certified General

COMPLAINT

- A. The Board reviewed the Case Summary Chart. Tom Veit reported 43 cases filed for 2014 and 7 cases filed for 2015 and 16 open appraiser investigations cases.
- B. Case No. 14-30 – Motion by Thomas Oliver, second by Dann Cann and the Board unanimously agreed to set the case for an informal mediation and if not successful to set the case for a hearing. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz - Yes.
- C. Case No. 14-34 - Motion by Jeff Fultz, second by Kathy Mayfield and the Board unanimously agreed to set the case for an informal mediation and if not successful to set the case for a hearing. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz - Yes.
- D. Case No. 14-35 - Motion by Thomas Oliver, second by Kathy Mayfield and the Board unanimously agreed to set the case for an informal mediation and if not successful to set the case for a hearing. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz - Yes.
- E. Case No. 14-36 – Charles Langford – Motion by Thomas Oliver, second by Dann Cann and the Board unanimously approved the agreed order. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz - Yes.
 - (a) Langford will be suspended for 30 days with time served from December 23, 2014 to January 21, 2015.
 - (b) Langford shall be fined the sum of \$500.00 with total amount to be paid prior to returning to Active Status.
 - (c) Langford shall submit a log of assignments to the KREAB office every month for 1 year from the date the Agreed Order is signed, and the KREAB staff or designee shall have the right to request and review reports from the log upon notice to the respondent.
 - (d) Langford agrees that the Board shall not renew his certification for the 2015 renewal cycle July 1, 2015 until he has completed the requirements of the terms set out in paragraphs (a & b) of this order.
- F. Cases on Appeal or scheduled for hearing
 - (1) Lynn Prichard Case 04-63 – Order was handed down in 2011 from Court to agree with Board findings.
 - (2) Lynn Prichard Case 12-10, 12-11, 12-12, 12-25, 12-26 – The Judge in Franklin Circuit Court granted extensions to respondents Attorney. The Board advised staff and attorney to push the appeals as rapidly as possible.
 - (3) Matt Miniard - 10-18 – Court of Appeals. A brief has been filed and waiting for response.

- (4) David Harrington– 08-49 through 08-57, 09-02, 09-03 and 09-07
Misfiled in wrong county by Harrington Attorney. Appeal now in the Madison
Circuit Court. – Pending Decision.

G. Cases to be set for hearing

- (1) Case 12-45 – William O. Spence – Hearing scheduled May 19-21, 2015
(2) Case 12-04 – Thomas Biederman - Hearing January 6, 2014 at LaGrange, KY.
– A continuance was granted to Mr. Biederman. No rescheduled hearing date
at this time.
(3) Richard Sceifers – Hearing February 12, 2015 – 9:30 Board office

MISCELLANEOUS

The Board reviewed and discussed the following information:

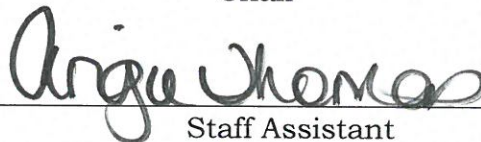
- A. Budget Ending December 31, 2014 – Motion by Thomas Oliver, second by Kathy Mayfield and the Board unanimously accepted the December payments as presented by staff. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz - Yes.
- B. Residential Real Estate Review – AMC – Motion by Dann Cann, second by Thomas Oliver and the Board acknowledge and agreed to process the renewal on the basis there was not an issue of credibility to do business in the State of Kentucky. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz - Yes.
- C. Regulation Updates and Discussion on future regulatory changes – Motion by Jeff Fultz, second by Kathy Mayfield and the Board accepted the regulatory changes. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz - Yes.
- 1) 201 KAR 30:030
2) 201 KAR 30:040
3) 201 KAR 30:190
4) 201 KAR 30:200
- D. Motion by Jeff Fultz, second by Kathy Mayfield and the Board designated Larry Disney and/or Tom Veit as the spokesperson for the Board at the Regulation Hearing and for Larry Disney to sign regulation in absence of Harold Brantley. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz - Yes.
- E. Request for Renewal – Brandon Combs – Motion by Thomas Oliver, second by Kathy Mayfield and the Board denied his request to renew based upon KRS 324A.050 (1)(a)(k) and begin investigation process. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz - Yes. The Board will need a certified copy of the final order from the NV Board.

- F. Terry Farmer – The Board feels he has exhausted all his possibilities in collecting the judgment money from the AMC and agrees to pay Mr. Farmer the sum of \$608.86 (\$275.00 + \$275.00 plus court cost \$58.86) through the AMC Recovery Fund. The staff will advise Mr. Farmer to send a letter requesting the determined amount that qualifies for payment.
- G. Jon Faulkner – The Board was advised Mr. Faulkner plead guilty to a misdemeanor.
- H. Supervisor/Associate Course – February 20, 2015 at Indiana Wesleyan University, Lexington, KY
- I. ASC Review – March 25-27, 2015
- J. AARO Spring Meeting – May 1-3, 2015 – Nashville, TN – Request travel request for all Board Members and Staff.
- K. November Board Meeting –Thursday November 19, 2015
- L. February Board Meeting – February 27, 2015

Motion by Thomas Oliver, second by Kathy Mayfield and the Board unanimously agreed to adjourn the meeting.



Chair



Staff Assistant